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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,602	01/05/2004	Peter Waksman		2992
7590	09/19/2005		EXAMINER	
Peter Waksman 54 Minot Rd. Concord, MA 01742			GEORGE, PATRICIA ANN	
			ART UNIT	PAPER NUMBER
			1765	

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/757602

EXAMINER

ART UNIT PAPER

0905

DATE MAILED:

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Commissioner for Patents

Letter Requiring Shortened Response Period

An examination of this application reveals that applicant is unfamiliar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. The applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent. A listing of registered patent attorneys and agents is available on the USPTO Internet web site <http://www.uspto.gov> in the Site Index under "Attorney and Agent Roster." Applicants may also obtain a list of registered patent attorneys and agents located in their area by writing to the Mail Stop OED, Director of the U. S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450.

Specification

The specification is a written description of the invention and the manner and process of making and using the same. The specification must be in such full, clear, concise, and exact terms as to enable any person skilled in the art or science to which the invention pertains to make and use the same. See 35 U.S.C. and 37 CFR 1.71. Some examples of concerning items in the specification are: On page 6, line 2 the term "document discloses a specific mechanism" is not specific, nor defines the invention or use of it the term "specific mechanism" is not enabling; Figure 1, is referred to as a schematic, yet it appears to be a flow diagram, it is also labeled both "Figur s" and Figure 1"; On page 4, the Summary of the Invention, discusses "chi squared formula from traditional statistics" which is a disclosure of prior art, that could possibly lead to the rejection of use of chi squared as a claimed part of the instant invention.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows: Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title. Claims 1-15 are rejected under 35 U.S.C. 101 because they are drawn to more than one statutory class of invention at the same time. Each set of claims must only be drawn to one class of invention at a time to meet the requirement of 35 USC 101.

Subject Matter Clarification

The disclosure is objected to under 37 CFR 1.71, as being so incomprehensible as to preclude a reasonable search of the prior art by the examiner. For example, the following items are not understood: Applicant's claims are drawn to two statutory classes of invention at the same time (i.e. system and method). As a result, it is impossible to make a proper comparison to the closest prior art because the statutory class of invention is not clear. It is suggested to applicant to amend the claims to refer to only one statutory class of invention or to provide separate sets of claims for each statutory class of invention. It is not permitted for any given claim to be

directed at more than one class of invention. Applicant is required to submit an amendment which clarifies the disclosure so that the examiner may make a proper comparison of the invention to the prior art. Applicant should be careful not to introduce any new matter into the disclosure (i.e., matter which is not supported by the disclosure as originally filed). A shortened statutory period for reply to this action is set to expire ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this letter.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patty George whose telephone number is (571) 272-5955. The examiner can normally be reached on weekdays between 7:00am and 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on (571) 272-1465. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patricia A George Examiner Art Unit 1765

PAG

09/05

JB

**NADINE G. NORTON
SUPERVISORY PATENT EXAMINER**

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